

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/839,679
Confirmation No. 1812
Filing Date 04/20/2001
Inventorship..... Sullivan et al.
Appellant Microsoft Corporation
Group Art Unit 2621
Examiner Czekaj, David
Attorney's Docket No. MS1-601US
Title: An application Program Interface (API) Facilitating Decoder Control of
Accelerator Resources

REPLY BRIEF

To: Commissioner for Patents
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From: Scott Gallert (Tel. 509-324-9256 ext. 265; Fax 509-323-8979)
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In response to Examiner's Answer dated October 5, 2007, in connection with Appellant's Appeal Brief filed June 25, 2007, a Reply Brief pursuant to 37 C.F.R. §41.41 is submitted. Appellant respectfully requests favorable consideration.

Grounds of Rejection to be Reviewed on Appeal

Claims 10 and 11 stand rejected under 35 U.S.C. §101 “because the claims do no meet the statutory requirements (the claims have improper language regarding the storage medium.)”

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,744,472 MacInnis in view of U.S. Patent No. 6,725,279 to Sriram.

Rejections under 35 U.S.C. §101

In the Examiner’s Answer, the Office has simply restated the same rejections of claims 10 and 11 as provided in the Final Office Action of January 24, 2007. Appellant fully addressed those rejections in Appellant’s Appeal Brief. In the interest of brevity, Appellant will not repeat Appellant’s arguments from the Appeal Brief.

Rejections under 35 U.S.C. §103(a)

In the Examiner’s Answer, the Office has also simply restated the same rejections of claims 1-25 as provided in the Final Office Action of January 24, 2007. Appellant fully addressed these rejections in Appellant’s Appeal Brief. In the interest of brevity, Appellant will not repeat Appellant’s arguments from the Appeal Brief.

Response to Arguments

Appellant respectfully reiterates all arguments in favor of allowance made in Appellant's previously-filed Appeal Brief. No admission or comment is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant further argues as follows in view of the Examiner's Answer.

In the Response to Arguments section of the Examiner's Answer, the Office disagrees with Appellant's assertion that, "MacInnis fails to disclose one or more parameters, which when received by the accelerator, affects one or more filter settings of the accelerator based, at least in part, of the content of the received command." *See* Examiner's Answer, page 6. In an attempt to support this point, the Office states that "MacInnis discloses one or more parameters, which when received by the accelerator, affects one or more filter settings of the accelerator based, at least in part, of the content of the received command." *See* Examiner's Answer, Page 7.

Even assuming without conceding the Office's above statement to be true, Appellant respectfully submits that MacInnis still does not disclose Appellant's claimed subject matter. Specifically, nothing indicates that MacInnis teaches or suggests "...one or more parameters which, when received by the accelerator, affects one or more filter settings of the accelerator based, at least in part, on the content of the received command." The only commands that are received by the accelerator in MacInnis appear to be commands it receives directly from a *CPU* (see Fig. 37 and Column 57 , lines 46-47) (Emphasis Added).

In the Response to Arguments section, the Office also states that “Sriram discloses the use of a plurality of different accelerators with the decoder application. *Examiner’s Answer, page 7*. This is simply not so. Instead, the monitor processor (as discussed in the appeal brief) and the sub-processors are part of the **decoder’s** system memory. Specifically, Sriram provides that the monitor processor...splits the video decoding process into N independent sub-processes, for processing by the sub-processors. (Column 4, line 66 – Column 5, line 3).

Appellant, therefore, respectfully submits that the Office fails to establish that Sriram discloses the claimed subject matter, for at least the reasons discussed within the Appeal Brief.

Conclusion

For at least the reasons provided above, Appellant respectfully submits that the rejections set forth in the Final Office Action of January 24, 2007 in connection with the subject application should be reversed. Appellant respectfully requests favorable consideration of this Reply Brief.

Respectfully Submitted,

Dated: Dec - 4 - 2007

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